

Mr. Wai Man Chin stated you just got to sit and listen.

Ms. Carol De Leonardis asked go back to my seat.

Mr. Wai Man Chin responded no, you can stay there if you want.

Mr. John Klarl stated at the May 17th meeting we closed and reserved awaiting on a decision and order. We looked at a draft D&O last month, now we have the formalized D&O and it reads as follows Mr. Chairman. It's Patrick McCooey, Zoning Board of Appeals case #2017-14. We handed out the draft in June. This is an application by Patrick McCooey for an Area Variance for an accessory structure, an 18 foot by 36 foot in-ground pool in the front yard and an Area Variance for the total square footage of accessory structures on the applicant's property located at 296 Watch Hill Road, Cortlandt Manor. The applicant's property is located in the R40 single family residential district and consists of an odd shaped lot of 1.143 acres. The house is approximately 2408 square feet and the lot sits at approximately 15 feet to 20 feet above the road. The applicant proposes new construction of a 18 foot by 36 foot in-ground pool in the front yard. Due to the unusual shape of the property, steep slopes and location of the septic system, the applicant believes that the only location for this pool is a relatively flat area in the front yard to the left of the house approximately 75 feet from Watch Hill Road and about 20 feet higher than the road. The requested accessory structure square footage Variance's is as follows: accessory structure, square footage, allowed: 1204 square feet, proposed; 1364 square feet, Variance; 160 feet which is 13.3%. It should be noted that this application has some distinguishing and compelling factors which this board underscored at the public hearing held on May 17th, 2017. 1) The proposed pool will not be seen from the road. 2) This lot is large at 1.43 acres but offers only a limited area to place the proposed pool. 3) This application for the total square footage of accessory structures on this property is unique and further applicants will not be approved unless there are similar compelling factors. 4) And we added this, Mr. Hoch last time, this board does not include the square footage of a pool patio in arriving at the accessory structure's calculation. Therefore, this board hereby grants two Area Variances as follows: Area Variance for an accessory structure an 18 by 36 foot in-ground pool in the front yard, Area Variance for the total square footage of accessory structures from an allowed 1204 square feet up to 1364 square feet. Furthermore, this Decision and Order is hereby subject to the following conditions. Applicant to apply for and obtain a Building Permit and any other required permits for steep slopes, tree and topographic alterations with specific requirements to be determined by the Department of Technical Services, what we call DOTS. This is a type II action under SEQRA, and no further compliance is required. Mr. Chairman I also make a motion to adopt this Decision and Order.

Mr. John Mattis stated this is my case. I'll make a motion that we adopt that Decision and Order.

Seconded with all in favor saying "aye."

Mr. Wai Man Chin stated that's it. So it's been approved.

Ms. Carol De Leonardis asked so what is the next step?

Mr. Wai Man Chin responded you have to go to the Building Department and see Ken, Mr. Hoch.

Mr. John Klarl stated it's Wednesday, can wait until Monday.

Mr. Wai Man Chin stated give him a few days to get this all squared away first between us and the Building Department and then you go for permit.

Ms. Carol De Leonardis asked does he automatically get a copy of the approval?

Mr. Wai Man Chin responded yes.

Mr. John Klarl stated he'll have it in his office.

Ms. Carol De Leonardis stated thank you so much.

Mr. Wai Man Chin stated you're welcome.

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NEW PUBLIC HEARING:

- A. CASE NO. 2017-17 Michael Kane Jr.** for an Area Variance for the side yard setback for a 2nd floor addition on property located at **5 Tryon Circle, Cortlandt Manor.**

Ms. Adrian Hunte stated good evening. State your name please.

Mr. Michael Kane stated his name.

Mr. Wai Man Chin stated Mr. Kane, according to our memos from the Building Department that the sign was not properly installed at the right time for the Zoning Board meeting and that we might have to adjourn this because there was no sign. The public has to have a specific amount of time to see the sign in front of your property.

Mr. Michael Kane stated I was just checking back with some emails and John Lentini representing me as an architect said that when he came three times after we had filed for the Variance that the Town didn't have the sign ready for him to pick up.

Mr. John Mattis stated they didn't tell us that on Monday.

Mr. Raymond Reber stated even if they don't have it, the problem is that there is a requirement of so many days of having it displayed so that the public has a chance to respond. Unfortunately, our understanding is you didn't have it that many days so we just have to put this off for one month.

Mr. Michael Kane responded okay.

Mr. Wai Man Chin asked is that okay with you? You've got no choice.

Ms. Adrian Hunte stated that's Jim's case.

Mr. Wai Man Chin asked does someone want to take over on that?

Ms. Adrian Hunte stated on case 2017-17, applicant Michael Kane Jr., property 5 Tryon Circle, Cortlandt Manor, New York for an Area Variance for the side yard setback for a 2nd floor addition, I make a motion that we adjourn the matter to the August 2017 Zoning Board of Appeals meeting on the grounds that we noticed that the 20-day notice was not posted in advance.

Seconded with all in favor saying "aye."

Mr. Wai Man Chin stated so we have to come back next month.

Mr. Michael Kane stated okay.

Mr. Wai Man Chin stated thank you.

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ADJOURNED PUBLIC HEARINGS:

- A. **CASE NO. 2017-06** **Michael Druchunas and Siew Yin Wee** for an Area Variance for accessory structures, a barn and lean-to, in the front yard, an Area Variance for the total square footage of accessory structures, and an Area Variance for the height of an accessory structure on property located at **293 Lafayette Ave., Cortlandt Manor.**

Mr. Wai Man Chin stated I believe that we have a memo that the case has been withdrawn by the applicant. That case has been totally withdrawn.

- B. **CASE NO. 2016-24** **Hudson Ridge Wellness Center, Inc. and**

Hudson Education and Wellness Center for an Area Variance for the requirement that a hospital in a residential district must have frontage on State Road on property located at **2016 Quaker Ridge Road.**

Mr. Wai Man Chin stated we have a letter from the applicant indicating that they want to adjourn this to the August meeting due that the Chairman and also Mr. Hoch is not here to hear the whole entire applicant's request.

Mr. Raymond Reber stated I make a motion that we adjourn to the August meeting.

Seconded with all in favor saying "aye."

Mr. Wai Man Chin stated that's all we have

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ADJOURNMENT

Mr. John Mattis stated I move that we adjourn the meeting.

Seconded with all in favor saying "aye."

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**NEXT MEETING DATE:
WEDNESDAY, AUGUST 16, 2017**